

Department of Permits Approvals and Inspections  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
Baltimore County, Maryland

In the Matter of

Civil Citation No. 98876

Michael Williams  
28 N Symington Ave  
Baltimore, MD 21228

28 N Symington Avenue

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE ADMINISTRATIVE LAW JUDGE

This matter came before the Administrative Law Judge on September 14, 2011 for a Hearing on a citation for violations under the Baltimore County Code (BCC) 13-7-310, 312, remove all junk, trash and debris; (BCZR) 428; remove untagged, inoperative damaged/ disabled motor vehicle; (BCC) 13-4-201 (b)(d), store garbage in container with tight fitting lids on residential property.

On August 22, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector Ray Harmon issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$ 2,000.00 (Two thousand dollars)

The following persons appeared for the Hearing and testified: Kate Hodges , Esq. on behalf of the Respondent; Michael Williams, Respondent(s); Ray Harmon, Baltimore County Code Enforcement Officer.

Testimony was presented that, upon a complaint, an inspection of the property took place on 8/22/11. The presence of trash cans without lids, junk, trash and debris, three untagged motorcycles, items of trash and debris in a truck , and a temporary building filled with miscellaneous items was noted. A pre-hearing inspection on 9/12/11 revealed that the temporary shed was closed, the

motorcycles removed, the trash cans with proper lids and the junk, trash and debris removed. On cross examination of the Inspector by counsel for the Respondent, it was established that there was no indicia of rats or other rodents on the property. The Respondent testified that the items in the truck were intended to be taken to the dump and that the items in the temporary structure in the rear yard were there only until he completed cleaning out his garages, with the intent then to move the items in the shed into the garages and remove the shed.

Having heard the testimony and evidence presented at the Hearing:

IT IS ORDERED by the Administrative Law Judge that a civil penalty lien be imposed in the amount of \$ 500.00 (five hundred dollars).

IT IS FURTHER ORDERED that \$ 500.00 of the \$500.00 civil penalty lien be suspended.

IT IS FURTHER ORDERED that the remaining \$500.00 will be imposed if the truck loaded items are not removed from the property by October 6, 2011 and the items in the temporary shed returned to the garages for storage and the temporary shed removed by December 13, 2011.

IT IS FURTHER ORDERED that the remaining \$500.00 will be imposed if there is a subsequent finding against the Respondent for the same violations.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty lien AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 16<sup>th</sup> day of September 2011

Signed: Original signed 09/16/11  
Lawrence Stahl  
Managing Administrative Law Judge

**NOTICE TO RESPONDENT:** The Respondent is advised that pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security in the amount of the penalty assessed.

TMK/lmw